

**Belmont Park Redevelopment Project – DEIS Public Hearing
1/10/19**

Speaker: Dr. Lynn Pombonyo, Trustee

Inc. Village of Floral Park, 1 Floral Blvd., P.O. Box 27, Floral Park, NY 11002

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Good evening. I'm Lynn Pombonyo, a Trustee of the Village of Floral Park.

The Village of Floral Park has retained the law firm of Beveridge & Diamond PC in New York City for the duration of the Belmont Park Redevelopment Project. On October 3, 2018, Michael G. Murphy, Attorney and Principal of Beveridge & Diamond, submitted several extensive Freedom of Information Law (FOIL) requests to Empire State Development's Records Access Officer. These requests encompassed any and all records relating, but not limited, to the Proposed Project, studies and data relating to traffic, parking, the use of the North Lot, the prohibited use of the Plainfield Avenue exit, the LIRR Belmont station, related correspondence, and numerous others necessary for the Village, our attorneys and engineering consultants, and others to conduct thorough analyses of the details missing in the DEIS, and prepare a fully informed response. These details and analyses are critical, given the Proposed Project's "significant adverse impacts" on our Village.

Written acknowledgements of our FOIL requests were received from Empire State Development (ESD) on October 12, November 9, and December 26, 2018. The October 12th communication from ESD indicated that the Village would be notified of the results of the search for the requested documents within the statutory twenty days. No documents were received and, instead, the Village was repeatedly informed that the FOIL requests were under review.

On January 4, 2019, Mr. Murphy from Beveridge & Diamond wrote the following to Mr. Howard Zemsky, President and CEO at ESD:

I write to express the Village's utter exasperation with ESD's continued failure to provide access to documents legitimately requested by the Village pursuant to Freedom of Information Law, and clearly within the possession of ESD. The continued failure of ESD to provide the requested documents...has made it virtually impossible for the Village to properly assess the DEIS issued by ESD for the Project in the time allotted to do so. As a result, we request your immediate intervention into this matter to ensure that the documents requested by the Village are provided without further delay, and that the Village's time to provide written comments on the DEIS be extended to at least March 8, 2019 in consideration of the lengthy delays involved in providing the requested documents.

On January 9, 2019, which was yesterday, Floral Park Mayor Dominick Longobardi received a zip drive. The zip drive contained copies of the yet-to-be-reviewed documents. It's quite obvious to all that there was absolutely no time for Village officials, Beveridge & Diamond, NV5 Technical Engineering & Consulting, or others to even read the documents, much less analyze them and prepare responses for these four important public hearing sessions.

This is absolutely unacceptable to the Village of Floral Park and all our stakeholders. We are reiterating Mr. Murphy's position that the period for written comments on the DEIS be extended to at least March 8, 2019 so that Floral Park can respond to all the facts regarding this Project. I am submitting Mr. Murphy's January 4, 2019 correspondence to ESD and the related attachments for the record. Thank you.